

**FILED**

JUN 30 2006

RICHARD W. WIEKING  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

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18 UNITED STATES DISTRICT COURT  
19  
20 NORTHERN DISTRICT OF CALIFORNIA

21 XIUFANG SITU, JOSEPHINE GUIN, BOBBI )  
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23 SOKOLOWSKI, ROSA BEGUN, IRENE )  
24 CRAM, JO ANN BURBES, MILDRED )  
25 SNIDER, LILLIAN EMERY, VINCENT )  
26 PERILLO, CALIFORNIA ALLIANCE FOR )  
27 RETIRED AMERICANS, ACTION )  
28 ALLIANCE OF SENIOR CITIZENS OF )  
GREATER PHILADELPHIA, ILLINOIS )  
NETWORK OF CENTERS FOR )  
INDEPENDENT LIVING and STONE-HAYES )  
CENTER FOR INDEPENDENT LIVING )  
on behalf of themselves and all others similarly )  
situated, )

Plaintiffs, )

v. )

26 MICHAEL O. LEAVITT, )  
27 Secretary of Health and Human )  
28 Services, )

Defendant. )

CIVIL ACTION NO.: C06-02841 TEH

**PLAINTIFFS'**

**[PROPOSED] ORDER GRANTING**

**STIPULATION REGARDING**

**PLAINTIFFS' MOTIONS FOR**

**INTERVENTION AND CLASS**

**CERTIFICATION AND DEFENDANT'S**

**MOTION TO DISMISS**

1 The parties have stipulated to these actions and therefore,

2 The COURT ORDERS:

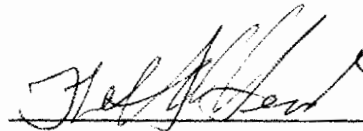
3 1. Plaintiffs may file a Second Amended Complaint combining the allegations in  
4 the First Amended Complaint and the proposed Complaint in Intervention by June 30,  
5 2006.

6 2. Defendant will file a Motion to Dismiss by July 14, 2006. Plaintiffs will file a  
7 response to the Motion to Dismiss by August 4, 2006, and Defendant will file a Reply by  
8 August 11, 2006.

9 3. Plaintiffs will file a Reply in support of their Class Motion by August 10,  
10 2006.

11 4. A hearing on the Motion to Dismiss and Plaintiffs' Motion for Class  
12 Certification will be held on August 28, 2006, at 10:00 AM.

13 Dated: 6/30/06

14   
15 Thelton E. Henderson, Judge  
16 United States District Court  
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